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J. Byer
Patent
2/4/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CARL E. HANSON

Group Art Unit: 3738

Serial No.: 08/903,677

Filed: July 31, 1997

Examiner: Dinh Nguyen

For: METHOD OF TREATING ANGINA

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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:	
Date	<u>February 1, 2002</u>
	<u>Susan M. Dacko</u> Susan M. Dacko

RESPONSE

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Office Action mailed January 8, 2002, the applicant submits the following remarks.

In the Office Action, the Examiner has made the same rejections that were made prior to the Decision of the Board. It does not appear that the Examiner has considered the substance of the Board's Decision or the Amendment that was filed on August 1, 2001. In applicant's Petition for Revival of the application, applicant indicated that the reply to the Decision before the Board included the August 1 Amendment, as well as the Request for Continuing Prosecution. If the Examiner read the Decision of the Board of Patent Appeals and Interferences, it should have been clear that the Examiner was reversed on all issues except for the enablement rejection. Applicant's amendment to the specification in their August 1 document clearly eliminated any issues with respect to this final issue. Accordingly, there are now no remaining issues in this case and therefore it should be passed to allowance.

Instead of doing so, however, the Examiner has merely restated the rejections that were clearly reversed on appeal and has failed to give any consideration to applicant's August 1 Amendment. In the second sentence of the Office Action, the Examiner states that "[t]he

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response does not include any changes to the specification nor any amendment to the claims." This is clearly incorrect because applicant filed an Amendment on August 1, 2001 and applicant's Petition for Revival stated that the reply included that Amendment. Therefore, this Amendment should be considered by the Examiner and entered into the file. Further, the finality of the Office Action should be withdrawn, and the Examiner should withdraw the remaining rejections in view of the Board's decision.

If the Examiner has any questions or comments concerning this communication, please contact applicant's attorney at the number provided below.

Respectfully submitted,

Registration Number	Telephone Number
32,900	651-736-7776
Date	2/01/02

By


Karl G. Hanson

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Date: February 1, 2002
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To:**Technology Center 3700
USPTO****Your Ref: 08/903,677****Phone:****Fax No. 703-872-9303****From:****Karl G. Hanson****Our Ref:****Phone: (651) 736-7776****Fax No. (651) 736-3833****Remarks:****Attached is a Response.**